

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**TIMOTHY MANN, Individually and on
behalf of DEBRA A. BROCK, deceased,
and WILLETTE MANN,**

Plaintiffs,

-vs-

Case No. 13-C-116

DR. ALYSANDRIA LAL,

Defendant.

DECISION AND ORDER

Aside from a few additions and deletions in the case caption, this case is identical to a lawsuit that was dismissed by Judge J.P. Stadtmueller for lack of subject matter jurisdiction. *Mann v. Lal*, Case No. 12-C-985 (October 29, 2012 Order and Judgment). That ruling is entitled to preclusive effect. *Hill v. Potter*, 352 F.3d 1142, 1146-47 (7th Cir. 2003) (“Dismissals for want of subject-matter jurisdiction are always denominated without prejudice, because they signify that the court did not have the power to decide the case on the merits. But they are preclusive with respect to the jurisdictional ruling”). Even if the addition of one plaintiff and the deletion of one defendant could call into question the operation of *res judicata*, the instant lawsuit can simply be dismissed for the exact same reasons that were outlined in Judge Stadtmueller’s opinion. There is no subject matter jurisdiction.

IT IS HEREBY ORDERED THAT the plaintiffs' motion for leave to proceed *in forma pauperis* [ECF No. 2] is **GRANTED**, but this matter is **DISMISSED** for lack of subject matter jurisdiction. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 6th day of February, 2013.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge